

**U.S. Department of Energy
Materials Management
Clean Air Act**

Line of Inquiry and source		Expectations
1.0	Title I - Nonattainment Areas	
1.1	Is the area in which the facility is located designated a nonattainment area or border a nonattainment area for any criteria pollutant (PM-10, CO, O ₃ , SO ₂ , NO ₂ , or lead)? [40 <i>Code of Federal Regulations</i> (CFR) 52 and applicable state regulations]	Nonattainment areas in each state are listed under 40 CFR 81, Subpart C. Nationwide nonattainment areas are listed in 40 CFR 52.
1.2	If the facility is in a nonattainment area or borders a nonattainment area, is there more stringent Clean Air Act (CAA) compliance requirements (e.g., emission control technology requirements, emissions offsets, lowering of major source definition)? (40 CFR 52 and applicable state regulations)	Required emission control technology and emissions offset implementation has taken place, taking into account the lowered major source definition. The auditor should review documentation to ensure compliance.
1.3	If located in a nonattainment area, what documentation exists demonstrating compliance with nonattainment provisions? (40 CFR 52 and applicable state regulations)	Documentation is required to demonstrate compliance with nonattainment area compliance requirements.
2.0	Title V - Permitting	
2.1	Is the facility designated a major source under Title V of the CAA [airborne emissions of 100 tons/year or more of any pollutant or 10 tons/year or more of any hazardous air pollutant (HAP) except radionuclides, or 25 tons/year or more of any combination of HAPs]? (40 CFR 70.2 or 71.2 and applicable state regulations)	If the facility is designated a major source, does it have an air emissions inventory or equivalent? Review available information to determine compliance history.
2.2	For Title V sources, is the facility regulated under the state (40 CFR 70) or federal (40 CFR 71) Title V permitting program? (40 CFR 70 or 71 and applicable state regulations)	<p>If the U.S. Environmental Protection Agency (EPA) does not approve the state Title V permitting program, the source will be regulated under Part 71 (Federal Title V permitting program), otherwise, the source will be regulated under the state Title V permitting program for the state in which the source is located.</p> <p>Has the state's permitting program been approved by EPA?</p>

**U.S. Department of Energy
Materials Management
Clean Air Act**

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<p>2.3 For Title V sources, review air emissions inventory, Title V permit application, and Title V permit to verify compliance with permit conditions, that all air emission sources are accounted for, that emission estimates were properly measured or calculated, exempt sources are listed in the permit application, and that required compliance documentation is maintained and submitted to regulators at required frequencies. (40 CFR 70 or 71 and applicable state regulations)</p>	<p>Parts 70 and 71, and applicable state regulations contain provisions for information to be contained in the Title V permit application and compliance demonstration reporting requirements. The air emissions inventory should contain information required for entry into permit applications. The Title V permit contains permit conditions to be adhered to. Title V also requires annual air emission fees to be paid by each source. An annual air emission fee statement is sent each year by the regulator showing fee calculation methods and amount owed.</p> <p>Is the source in compliance with Title V Permit conditions?</p>
<p>2.4 For Non-Title V sources (or Title V sources not yet regulated under Title V), does the facility have any permitted or exempt air emission sources? (State regulations)</p>	<p>The state regulations permitting section contains criteria for permitting or exemption of air emission sources.</p> <p>Does the facility have documentation identifying all permitted or exempt air emission sources?</p>
<p>2.5 For Non-Title V sources, what documentation exists demonstrating compliance with permit conditions or state exemption criteria? (State regulations)</p>	<p>State regulations require that the source retain documentation of compliance with permit conditions or state exemption criteria.</p> <p>Does the facility have documentation demonstrating compliance with permit conditions or state exemption criteria?</p>
<p>2.6 For Title V and Non-Title V sources, conduct a walk-through of the facility looking for such sources as hoods, ovens, furnaces, equipment exhausts, waste evaporators, etc., that may require an air permit or documentation of exemption and ensure that all are either permitted or proof of exemption is documented. (40 CFR 70 or 71 and state regulations)</p>	<p>State regulations require that all sources subject to permitting provisions either be permitted or exempted.</p> <p>Are all sources that require a permit or exemption accounted for?</p>

**U.S. Department of Energy
Materials Management
Clean Air Act**

Line of Inquiry and source	Expectations
2.7 What are the permit number, expiration date, regulatory contact, regulatory address and phone and the sources covered? (40 CFR 70 or 71 and State regulations)	Record any interviews with regulatory agencies. Denote any noncompliances either current or pending. Also note any findings from previous audits that have not been addressed. Renewals of permits must be submitted at least 6 months but no more than 18 months from the expiration date of the existing permit. All permits except for incinerators are issued for 5 years. Incinerators can have permits of up to 12 years, but the permit must be reviewed at least every 5 years.
3.0 Title III - Hazardous Air Pollutants	
3.1 Is the facility designated a major source under Title III of CAA (have airborne emissions of 10 tons/year or more of any HAP or 25 tons/year or more of any combination of HAPs)? (40 CFR 63.2 and applicable state regulations)	Does the facility have a HAP air emissions inventory or equivalent (may be included in overall air emissions inventory)?
3.2 Does the facility have any operations listed in a designated source category under 40 CFR 63, Subpart C (e.g. halogenated solvent cleaning, etc.)? (40 CFR 63 and applicable state regulations)	Designated source categories are listed in 40 CFR 63, Subpart C. Has the facility identified applicable source categories?
3.3 Is the facility regulated under 40 CFR 61 National Emission Standards for Hazardous Air Pollutants (NESHAPs)? (40 CFR 61 and applicable state regulations)	40 CFR 61 and applicable state regulations regulate emissions of eight HAPs (radionuclides, mercury, beryllium, vinyl chloride, benzene, asbestos, coke oven emissions and arsenic) from specified processes. Does the facility handle any of the HAPs identified in 40 CFR 61?
3.4 If the answer to any of the previous three questions is yes, what are the compliance requirements (i.e., Maximum Achievable Control Technology (MACT) standards, stack testing, emission limits, dose limits, and dose modeling)? Does documentation exist verifying compliance? (40 CFR 61 or 63 and applicable state regulations)	40 CFR 61 and 63 and applicable state regulations specify compliance requirements including MACT Standards, stack testing, emission limits, dose modeling, etc. Does the facility have documentation in place to verify compliance with applicable 40 CFR 61 or 63 Subparts or applicable exemption criteria?

**U.S. Department of Energy
Materials Management
Clean Air Act**

Line of Inquiry and source	Expectations
3.5 Does the facility use or emit any of the chemicals listed as HAPs under 40 CFR 63, Subpart C or any of the eight NESHAP pollutants listed under 40 CFR 61 (beryllium, mercury, vinyl chloride, coke oven emissions, radionuclides, benzene, asbestos and arsenic)? (40 CFR 61 or 63 and applicable state regulations)	The list of regulated HAPS is contained under 40 CFR 63, Subpart C. Does the facility maintain a HAP emission inventory?
3.6 If so, in what quantities, and what are the estimated emissions? (40 CFR 61 or 63 and applicable state regulations)	Applicable provisions specify compliance requirements including emission limitations. Does the facility maintain a HAP emission inventory?
3.7 All HAP emissions are properly permitted or exempted under Title V or Non-Title V permitting regulations. (40 CFR 70 or 71 and applicable state regulations)	Does the facility have documentation of compliance with permit or exemption under Title V or Non-Title V regulations? The facility is required to maintain all pertinent records including monitoring data, reports and supporting information for a period of 5 years. The most recent 2 years must be maintained at the source facility. The other 3 years information can be kept at an off site location as long as it is retrievable for review. Reports must be submitted every 6 months unless otherwise specified.
4.0 Title III - Prevention of Accidental Release Rule	
4.1 Does the facility keep in inventory any of the chemicals listed under Title III, Section 112(r)? (40 CFR 68.130 and applicable state regulations)	40 CFR 68.130 contains a listing of chemicals regulated under the Prevention of Accidental Release Rule. Does the facility have a chemical inventory of Title III, Section 112(r) chemicals?
4.2 If so, do quantities of any of the listed Title III, Section 112(r) chemicals in inventory exceed threshold quantities listed under 40 CFR 68.130? (40 CFR 68.130 and applicable state regulations)	Threshold quantities are listed for each chemical specified in 40 CFR 68.130. Does the facility have a chemical inventory of Title III, Section 112(r) chemicals?

**U.S. Department of Energy
Materials Management
Clean Air Act**

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4.3 What plans are being made for inventory reduction or preparation of a risk management plan (40 CFR 68, Subpart B), if required? (Required compliance date 6/20/99) (40 CFR 68, Subpart B and applicable state regulations)	<p>If threshold quantities are exceeded, the source must either make plans for inventory reduction to levels below all threshold quantities or plan for preparation of a risk management plan for all chemicals in inventory above threshold quantities. The RMP must be updated at least every 5 years unless there is a change in operations or emissions, which requires a new RMP be issued, submitted and employees trained within 6 months.</p> <p>Have initiatives been undertaken to reduce inventories to levels below threshold quantities or planning for a risk management plan taken place?</p>
4.4 Have the employees been trained on the use of the RMP and are written SOPs available for their use? (40 CFR 68 and State regulations)	40 CFR 68 requires that employees be trained initially and receive refresher training at least every 3 years on the RMP. Written SOPs must be maintained and available for use by employees.
4.5 Is the facility compliant with the reporting, records, inspection, testing and auditing requirements of 40 CFR 68 and State regulations?	The facility must conduct audits every 3 years, inspect and test equipment in accordance with manufacturer suggestions and good management practice. Also, in case of an incident, the facility must conduct an investigation and provide a summary of findings and actions. In addition, the facility must maintain a 5-year accident history.
4.6 Does the facility have a startup, shutdown and malfunction plan? (40 CFR 63.6(e)(3) and State regulations)	The facility is required to maintain a startup, shutdown and malfunction plan.
4.7 Does the facility have continuous emissions monitoring system data and other required reports and information available for review? (40 CFR 63.10 and State regulations)	40 CFR 63.10 requires facilities to maintain the CEMS data either for the most recent 3 consecutive cases with the algorithm used for data reduction or for manual data reduction, the subhourly data for the previous 120 days reporting period. Additionally, all records during a startup, shutdown and malfunction must be maintained and available. The records for the nonroutine times are submitted with the other required reports if such a situation occurred during the reporting period. Immediate (within 2 working days) reports must be submitted for unplanned or emergency events. Excess emissions and CEMS performance reports and summaries are submitted every 6 months unless otherwise specified.
4.8 Do the material and the facility meet the requirements of the Off Site Waste and Recovery Operations requirements? (40 CFR 63.680 and State regulations)	If so, the record keeping and reporting requirements of 40 CFR 63.696 and 697 respectively apply. Radioactive mixed, CERCLA and RCRA corrective action wastes do not meet the definition as found in 40 CFR 63.680.

**U.S. Department of Energy
Materials Management
Clean Air Act**

Line of Inquiry and source	Expectations
4.9 Is the facility subject to the source specific requirements of 40 CFR 63 Subparts OO – XXX?	Review the necessary data available as required by the applicable Subpart to ensure compliance.
4.10 If applicable, does the facility have an up to date Quality Improvement Plan available for review? (40 CFR 64.8 and State regulations)	Review the status of the facility QIP.
5.0 Title VI - Stratospheric Ozone Protection	
5.1 Does the facility use any Class I Ozone Depleting Substance (ODS) in any chemical analysis (Freon-113 in wastewater analysis, etc.), for solvent cleaning, or other applications? (40 CFR 82, Subpart A and applicable state regulations)	Class I ODSs are listed under 40 CFR 82, Subpart A, Appendix A. Have Class I ODSs been identified at the facility?
5.2 What are the facility 's plans for substitution or elimination of Class I ODSs in response to the production phase out of these chemicals? (40 CFR 82, Subpart A and applicable state regulations)	40 CFR 82, Subpart A details the production and consumption controls which will result in Class I ODS no longer being available for use, thereby resulting in forced substitution or elimination of use of Class I ODS. 40 CFR 82, Subpart G, “Significant New Alternatives Policy Program,” lists EPA-approved safe alternatives for Class I ODS. Are initiatives underway for substitution or elimination of Class I ODS?
6.0 Acid Rain Program	
6.1 Is the facility regulated under this program, which regulates sulfur dioxide, nitrogen oxides, carbon dioxide and opacity? (40 CFR 75 and State regulations) If so, review the electronic quarterly reports required by this section.	Review documentation and electronic submissions to ensure compliance.